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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,578	02/22/2002	Daniel Rosenkranz	770P010635-US (PAR)	1982

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PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p>10/081,578</p>	<p>Applicant(s)</p> <p>ROSENKRANZ ET AL.</p>	
	<p>Examiner</p> <p>Nhon (Gary) D Nguyen</p>	<p>Art Unit</p> <p>2179</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| <p>1) <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
|--|---|



DETAILED ACTION

1. This communication is responsive to amendment, filed 02/22/2005.
2. Claims 1-36 are pending in this application. Claims 1, 5, 19 and 23 are independent claims. In this amendment, no claim is canceled, claims 1, 5, 13-19, 23 and 31-36 are amended, and no claim is added. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4, 5, 8, 11-16, 19, 20, 22, 23, 26 and 29-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Kabacaoglu et al. ("Kabacaoglu", US 5,818,020).

As per claims 1 and 19, Kabacaoglu teaches a computer implemented method and corresponding system for a franking system that includes a control interface for manually entering data and system directives comprising the steps/means:

a system controller; and a control interface for manually entering data and system directives (fig. 1; col. 3, line 65 – col. 4, line 30),

the control interface comprising a touch screen; and a display generator adapted to generate displays on said touch screen, said display generator defining a plurality of touch button regions on said touch screen (col. 2, lines 27-54; fig. 4 and fig. 5; col. 4, line 54 – col. 5, line 12).

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wherein said control system is adapted to generate main displays (fig. 3) and work displays (fig. 7 – fig. 12), each of said displays also comprising main areas for entering current data and directives (fig. 6 – fig. 12), and history tabs adapted to activate displays for viewing the status and previous action associated with a category of functions or information, and allowing a user to change information in the category associated with each specific history tab by using said touch button regions (col. 4, lines 8-24).

As per claims 2 and 20, Kabacaoglu teaches the history tabs activate displays for only one previous history of the category associated therewith (col. 4, lines 8-24).

As per claims 4 and 22, Kabacaoglu teaches the history tabs activate displays for categories of rate-related information (fig. 8; col. 6, lines 30-49).

As per independent claims 5 and 23, Kabacaoglu teaches a computer implemented method and corresponding system for a franking system that includes a control interface for manually entering data and system directives comprising the steps/means:

a touch screen; a display generator adapted to generate displays having a plurality of touch button regions defined therein (col. 2, lines 27-54; fig. 4 and fig. 5; col. 4, line 54 – col. 5, line 12); and

a user display preference control coupled to said display generator, and adapted to control the grouping and orientation of said touch button regions (col. 4, lines 43-53).

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As per claims 8 and 26, Kabacaoglu teaches a display preference control coupled to said display generator, and adapted to control the grouping and orientation of said touch button regions (col. 4, lines 43-53).

As per claims 11, 12, 29 and 30, Kabacaoglu teaches the control system is further adapted to assign a particular advertisement field to be included in indicia printed on mail or mail labels, the particular advertisement field depending on the account to which mail being franked is charged and depending on the user operating said franking machine (col. 6, lines 30-39).

As per claims 13 and 31, Kabacaoglu teaches the control interface further comprises an overlay display activation key adapted to activate an series of overlay displays linked to said main displays or said work displays, said overlay displays adapted for entry of data or commands without closing the associated main or work display (col. 5, lines 42-51 and col. 6, lines 31-53).

As per claims 14 and 32, Kabacaoglu teaches the overlay displays are associated with display settings (col. 5, lines 58 – col. 6, line 16).

As per claims 15 and 33, Kabacaoglu teaches the overlay displays are associated with print engine magagement (col. 5, lines 13-41).

As per claims 16 and 34, Kabacaoglu teaches the overlay displays are associated with print position settings (col. 5, lines 13-41).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 17, 21 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabacaoglu in view of Official Notice.

As per claims 3 and 21, Kabacaoglu does not disclose the history tabs activate displays for categories of mandatory franking information. Examiner takes Official Notice that categories of mandatory franking information are just a design choice of the franking system and it is obvious in the art. It would have been obvious to an artisan at the time of the invention to use the teaching from Official Notice of categories of mandatory franking information in Kabacaoglu's system since it would force users enter needed information.

As per claims 17 and 35, Kabacaoglu does not disclose the overlay displays are associated with motor control settings. However, Examiner takes Official Notice that motor control settings are obvious in Franking system. It would have been obvious to an artisan at the time of the invention to use the teaching from Official Notice of associating overlay displays with motor control settings in Kabacaoglu's system since it would improve the system by allowing users to control the speed settings.

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7. Claims 6, 7, 9, 10, 24, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabacaoglu in view of Needham (US 5,402,152).

As per claims 6, 7, 24 and 25, Kabacaoglu does not disclose the display preference control and said display generator are adapted to located groups with more frequently touched touch button regions in a user-chosen hemisphere of displays, wherein said user-chosen hemisphere corresponds to the dominant side of the user's body. Needham discloses that in col. 4, lines 33-58. It would have been obvious to an artisan at the time of the invention to use the teaching from Needham of locating graphical user interface with more frequently touched regions in a user-chosen hemisphere of displays in Kabacaoglu's system since it would allow users control the GUI regions easier and faster.

Claims 9, 10, 27 and 28, they recite a combination of limitations recited in claims 6 and 7; therefore they are rejected as set forth in the rejection of claims 6 and 7, combined.

8. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabacaoglu in view of Fischer et al. ("Fischer", US 6,208,338).

As per claims 18 and 36, Kabacaoglu does not disclose the overlay displays are associated with user context-sensitive information. Fischer teaches that in col. 1, lines 14-21 and col. 3, lines 36-65. It would have been obvious to an artisan at the time of the invention to use the teaching from Fischer of associating user context-sensitive information with the overlay displays in Kabacaoglu's system since it would make the process of displaying information faster.

Response to Arguments

9. Applicant's arguments filed 02/22/2005 have been fully considered but they are not persuasive.

Applicant argued the following:

All of the claims of this application are directed to a user interface for a franking system which has the following elements, as described in claim 1 such as “a touch screen; and a display generator adapted to generate displays on said touch screen, said display generator defining a plurality of touch button regions on said touch screen.” Since this capability is not present in the system of the reference Kabacaoglu et al, there can be no infringement of the subject claims. Therefore the teaching of Kabacaoglu does not support the rejection based on anticipation with respect to any of the claims.

Examiner disagreed for the following reasons:

Figure 1 of the Kabacaoglu reference illustrates a touch screen with a plurality of soft keys (col. 3, lines 65 – col. 4, line 30). This touch screen can generate several display menus on the display screen (e.g., fig. 3; col. 4, lines 43-53). Furthermore, the touch screen of figure 1 also includes a plurality of touch button regions on the touch screen such as soft keys region 12-22, scrolling region 24 and 26, and numerical keyboard region 32. Therefore, Kabacaoglu does teaches “a touch screen; and a display generator adapted to generate displays on said touch screen, said display generator defining a plurality of touch button regions on said touch screen.”

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571)272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
May 25, 2005


BA HUYNH
PRIMARY EXAMINER